

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

TLS MANAGEMENT AND MARKETING SERVICES, LLC CIVIL NO.: 15-2121 (BJM)

Plaintiffs

Vs.

RICKY RODRÍGUEZ-TOLEDO, et al

Defendants

**TRANSCRIPTION OF THE
CONTINUATION OF THE DEPOSITION
OF
MR. RICKY RODRÍGUEZ-TOLEDO**

DATE : Thursday, April 27, 2017
TIME : 1:33 p. m.
PLACE : O'Neill & Borges Offices
250 Muñoz Rivera Ave. #800
San Juan, P.R. 00913

COPY

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1 Q Which other offices are you referring to?

2 A That's what he told me. He didn't tell me which
3 ones.

4 Q Mister Ríos?

5 A Yes.

6 Q When did he tell you that?

7 A About a month ago or so.

8 Q What else did he tell you a month ago?

9 A I'm not sure if I'm at liberty to... to respond to
10 that.

11 Q Please, go ahead.

12 DEPONENT:

13 Do I need to respond?

14 MRS. LYDIA M. RAMOS-CRUZ:

15 Well, I--I don't know if... If it's privileged, I don't
16 know.

17 DEPONENT:

18 I don't know. I'm going to have to ask them, because...

19 MRS. LYDIA M. RAMOS-CRUZ:

20 Did you sign a...?

21 DEPONENT:

22 I signed a document with them, so I'm not sure if I can
23 disclose this over to them.

24 MR. MANUEL A. PIETRANTONI-CABRERA:

25 Q What document did you sign?

1 DEPONENT:

2 A I'm not sure even the name of the document. I
3 didn't... wasn't given a copy to it.

4 MR. MANUEL A. PIETRANTONI-CABRERA:

5 Well, this is the problem we have. You've disclosed all
6 of this stuff that you sent to the IRS,--

7 DEPONENT:

8 Yes.

9 MR. MANUEL A. PIETRANTONI-CABRERA:

10 --e-mails, forms, and so forth. So if there was any type
11 of agreement, you've already breached it. There's no
12 privilege here.

13 DEPONENT:

14 No, because--

15 MR. MANUEL A. PIETRANTONI-CABRERA:

16 Your... Every mo--

17 DEPONENT:

18 --I asked for--

19 MR. MANUEL A. PIETRANTONI-CABRERA:

20 Excuse me. Every motion you file, every motion, every
21 single motion you file, you tell the court that you have
22 initiated a criminal investigation at the IRS against mister
23 Runge and mister Colombik. So I have a... My clients have a
24 right to know who at the IRS you've spoken to, what... who
25 said what and how many times.

1 Q So my question is, what else did you talk about with
2 mister Ríos a month ago?

3 DEPONENT:

4 A I'm not at liberty to say.

5 Q Well, either you tell me now, we could do this the
6 easy way or the hard way, or... The easy way would be you
7 telling me now, the hard way would be me filing a motion with
8 the court for you to say.

9 A I guess I have to ask the IRS whether I can discuss
10 anything else.

11 MR. MANUEL A. PIETRANTONI-CABRERA:

12 Okay. Let's take a break while we call the judge.

13 **[OFF THE RECORD]**

14 MR. MANUEL A. PIETRANTONI-CABRERA:

15 Q Mister Rodríguez, my question was... My last
16 question, which you did not know if you can answer -correct me
17 if I'm wrong- was, who said what during your last meeting with
18 mister Manuel... I mean, with mister Ríos of the IRS, is that
19 correct?

20 DEPONENT:

21 A Correct.

22 Q Okay. Did you ever disclose to the IRS that you were
23 filing motions and a Counter Claim stating that you had filed
24 a Whistleblower Claim... Whistleblower Claim against mister
25 Runge and mister Colombik?

1 Ohio...", and so forth. It then says... Actually, it says...
2 Let me start over. "I'm writing you because Ro... agent
3 Ronald Gesell of the Criminal Division of the IRS in Ohio got
4 in contact with a client of TLS, Donald Allen, to...", and
5 then it goes on from there. How do you know this?

6 A I was... I was told by my attorney.

7 Q Did you...? Have you spoken to mister Allen about
8 this?

9 A No.

10 Q Have you spoken to mister Allen about anything?

11 A Ever.

12 Q Did mister Ríos ever tell you what was the status of
13 that communication between agent Gesell and mister Allen?

14 A I'm not at liberty to say.

15 Q Well, I'm not asking whether he... what he told you,
16 I'm asking whether he got in contact with him?

17 A Yes.

18 Q And when you say that you're not at liberty to say,
19 would that be another issue, then, that we have to tell the
20 court?

21 A Yes.

22 MRS. LYDIA M. RAMOS-CRUZ:

23 What was the question? Whether Gesell what? Gesell
24 what?

25

1 MR. MANUEL A. PIETRANTONI-CABRERA:

2 What mister Ríos told him with respect to his
3 communication with agent Gesell.

4 Q Is that what... what you're not at liberty to say?

5 DEPONENT:

6 A Correct.

7 MRS. LYDIA M. RAMOS-CRUZ:

8 Let me write that. What Ríos told you about the
9 communications with...

10 DEPONENT:

11 With agent Gesell.

12 MR. MANUEL A. PIETRANTONI-CABRERA:

13 Let's go to the next exhibit, sir, which would be 53.

14 Q Again, these are multiple exhibits, is that correct?

15 I'm sorry, multiple e-mails. Is that correct?

16 DEPONENT:

17 A Yes.

18 Q Did you either send...? Did you either draft and
19 send these e-mails or receive them?

20 A Yes.

21 Q These appear to be all between you and mister Ríos
22 and some also include mister Víctor Andino. Is that correct?

23 A Yes.

24 Q The e-mail on page 6, the last page, at the bottom,
25 is between you and mister Ríos, and you also copied mister